



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application Of: )  
Saori KITAO, *et al.* ) Group Art No. TBA  
Serial No: 09/889,325 ) Examiner: TBA  
Filed: January 19, 2000 ) Docket No. 004276.00003  
For: GENE CAUSATIVE OF ROTHMUND- )  
THOMSON SYNDROME AND GENE )  
PRODUCT )

**RESUBMISSION OF DECLARATION AND**  
**RESPONSE TO NOTICE OF MISSING REQUIREMENTS**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

In response to the Notice of Missing Requirements dated April 16, 2003, Applicants resubmit herewith a copy of the following documents, which was originally filed on December 31, 2001:

1. Response to Notice to File Missing Requirements Under 35 U.S.C. 371;
2. Executed Declaration/Power of Attorney signed by Saori KITAO, Akira SHIMAMOTO, and Yasuhiro FURUICHI;
3. USPTO date-stamped return postcard dated December 31, 2001, indicating that the executed declaration has already been filed; and
4. A Fee Transmittal.

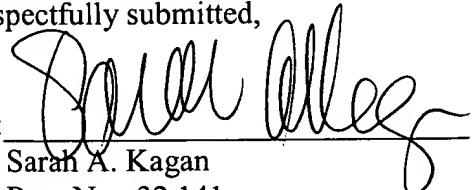
Please issue a Notice of Acceptance for this application.

We believe that no fee other than the declaration surcharge for providing the oath later

than 30 months from the priority date is required. However if an additional fee is required, the Commissioner is authorized to charge any fees, which may be required and/or credit any overpayment to our Deposit Account No. 19-0733.

Respectfully submitted,

By:

  
Sarah A. Kagan  
Reg. No. 32,141

Dated: May 8, 2003

Customer No. 22907

Please type a plus sign (+) inside this box → 

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/889,325
		Filing Date	July 13, 2001
		First Named Inventor	Saori Kitao
		Group Art Unit	TBA
		Examiner Name	TBA
Total Number of Pages in This Submission	004276.00003		

09/889325

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition (w/copy of Figs. 1-7 and copy of date-stamped filing receipt of 11-12-2002 attached)	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Resubmission of Declaration; Declaration; PTO stamped post card dated 12/31/01
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Missing Requirements	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Sarah A. Kagan, Reg. No. 32,141	
Signature		
Date	May 8, 2003	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this date:

Typed or printed name		
Signature	Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Rec'd PCT/PTO 08 MAY 2003

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information only if it displays a valid OMB control number.

# 8



# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known	
Application Number	09/889,325
Filing Date	July 13, 2001
First Named Inventor	Saori Kitao
Examiner Name	TBA
Group / Art Unit	TBA
Attorney Docket No.	004276.00003

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
Order
 Deposit Account:Deposit Account Number  
19-0733Deposit Account Name  
Banner & Witcoff, Ltd.

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
SUBTOTAL (1)		(\$ 0	

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
130.00	0	20 **	= 0 X 9 = 0	
		** = 0	X 0 = 0	

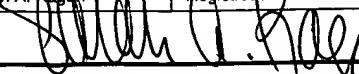
Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	** Reissue independent claims over original patent
110	18	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ )

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	400	216	200
117	920	217	460
118	1,440	218	720
128	1,960	228	980
119	320	219	160
120	320	220	160
121	280	221	140
138	1,510	138	1,510
140	110	240	55
141	1,280	241	640
142	1,280	242	640
143	460	243	230
144	620	244	310
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
146	740	246	370
149	740	249	370
179	740	279	370
169	900	169	900
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$ 130

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Sarah A. Kagan	Registration No. Attorney/Agent)	32,141
Signature		Date	May 8, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

SAK  
 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,325	Saori Kitao	04276.00003
		INTERNATIONAL APPLICATION NO.
		PCT/JP00/00233
		I.A. FILING DATE PRIORITY DATE
		01/19/2000 01/19/1999
<b>RECEIVED</b>		
APR 21 2003		
BANNER WITCOFF		
CONFIRMATION NO. 2310		
371 FORMALITIES LETTER		
 *OC000000009838807*		

Date Mailed: 04/16/2003

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/13/2001
- English Translation of the IA filed on 07/13/2001
- Copy of the International Search Report filed on 07/13/2001
- Copy of IPE Report filed on 07/13/2001
- Preliminary Amendments filed on 07/13/2001
- Information Disclosure Statements filed on 07/13/2001
- Biochemical Sequence Diskette filed on 07/13/2001
- Biochemical Sequence Listing filed on 07/13/2001
- Copy of references cited in ISR filed on 07/13/2001
- U.S. Basic National Fees filed on 07/13/2001
- Priority Documents filed on 07/13/2001

004276-0003  
 DOCKETED  
 APR 21 2003  
 Rec'd by  
 6/16/03  
 6/16/03

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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Telephone: (703) 305-3734

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/889,325	PCT/JP00/00233	04276.00003

FORM PCT/DO/EO/905 (371 Formalities Notice)

BOX PCT

B&W # 04276.00003 Atty/Sec SAK:bnc Date: December 31, 2001  
In Re International Application of: Saori KITAO, et al.  
International Application No. PCT/JP00/00233; U.S. Serial No. 09/889,235  
For: GENE CAUSATIVE OF ROTHMUND-THOMSON SYNDROME AND ITS GENE  
PRODUCT

Date Due:

The following has been received in the U.S. Receiving Office on the date stamped hereon:

1. Transmittal Letter to the U.S. Designated/Elected Office Under 35 U.S.C. 371 (in dup.).
2. Executed Declaration
3. PCT/IB/338 (1 P.)
4. PCT/IPEA/409: English Translation (3 pp.)
5. PTO-1592 (in dup.) w/Executed Assignment
6. Declaration Surcharge \$130.00 and Assignment Recordation Fee \$40.00 charged to Deposit Account No. 19-0733

